



Revised pursuant to 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1642

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UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Antonio J. GRILLO-LOPEZ *et al.*

Group Art Unit: 1642

Application Serial No. 09/840,872

Examiner: Gary B. Nickol

Filed: April 25, 2001

Title: INTRATHECAL ADMINISTRATION OF RITUXIMAB FOR TREATMENT OF  
CENTRAL NERVOUS SYSTEM LYMPHOMAS

\* \* \* \* \*

REQUEST FOR RECONSIDERATION

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the official action [final rejection] dated May 7, 2003, wherein the claims were rejected under 35 U.S.C §§ 102(b), 103(a), and 112, first paragraph, as well as the doctrine of obviousness-type double patenting.

**COPY**



1642

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PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request  
For  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/840,872
Filing Date	April 25, 2001
First Named Inventor	ANTONIO J. GRILLO-LOPEZ
Art Unit	1642
Examiner Name	Gary B. Nickol
Attorney Docket Number	037003-0280609

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☒ Other Amendment filed July 7, 2003 (copy enclosed)

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 033975

i. ☒ RCE fee required under 37 CFR 1.17(e) \$750.00

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Thomas A. Cawley	Registration No. (Attorney/Agent)	40944
Signature	<i>Thomas A. Cawley</i>	Date	September 26, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

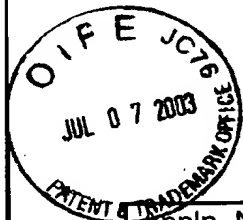
Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/29/2003 SSESHE1 00000061 033975 09840872

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# RECEIPT FROM PTO FOR INDICATED ITEMS

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Use 2 postcards for all New Applns. (cont/Div/CIP, too)  
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Appln. No: 09/840,872	Atty: Thomas A. Cawley, Jr./JB
First Inventor: Antonio GRILLO-LOPEZ	Date: July 7, 2003
	Matter No: 0280609
	Client No: 037003

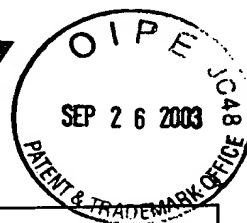
## ENCLOSED:

☒ Response/Amendment ☐ Appendix ☐ Cover Sheet ☐ Cited/Listed Documents

☐ Completion Request for R 53(f)/PCT Nat.

# No. of Pages Abstract  
# No. of Pages Spec and Claims  
# No. of Numbered Claims Only  
# No. of Sheets of Drawings (Figs )

**COPY**



☐ 1 Set Formal ☐ 1 Set Informal ☐ Cover Letter

☐ Declaration ☐ # of pages

☐ Assignment ☐ Cover Sheet

☐ Small Entity Declaration

☐ Extension Petition (PAT-111)

# ☐ No. of Priority Documents

☐ IDS Letter ☐ Cited Appln(s) ☐ Foreign Sch Rep/OA

☐ PTO-1449 ☐ Cited Documents

☐ Issue Fee Transmittal Form PTOL-85(b) in duplicate

\$  Amount Requested be Charged to our Dep. Acct. No. 03-3975

OTHER:

**Current DUE DATE:** August 7, 2003

(Submit Single Copy Only)